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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEONARD RUSSELL MARION,

Defendant.

MOTION TO SUPPRESS

Case No. 1:15cr33RJS

Defendant, Leonard Russell Marion (“Mr. Marion”), by and through his attorney, Kristen R. Angelos, pursuant to DUCrimR12-1(d), submits the following Motion to Suppress and respectfully requests the suppression of all evidence obtained following the search of Mr. Marion’s vehicle on November 17, 2014.

A. Defendant’s Basis for Standing

Mr. Marion has standing to challenge the unlawful search of the vehicle because he was the owner of the vehicle.

B. Evidence for Which Suppression is Sought

Mr. Marion seeks the suppression of all physical evidence obtained as a result of the search of his vehicle.

C. Grounds for Motion

Suppression is appropriate because the search of the vehicle was conducted without a warrant, without consent, and without probable cause. Additionally, the subsequent impoundment and inventory search of the vehicle was improper. Thus, the search of the vehicle violated Mr. Marion's rights under the Fourth Amendment.

Accordingly, Mr. Marion requests that this Court schedule an evidentiary hearing at which time testimony may be taken in further support of this Motion, and he reserves the right to supplement this Motion with a supporting memorandum following a hearing and the preparation of a transcript.

DATED this 18th day of November, 2015.

/s/ Kristen R. Angelos

Kristen R. Angelos
Assistant Federal Defender